

REMARKS

With this Amendment, Claims 13, 14, and 35 are cancelled. Therefore, claims 1, 4-10, 15-21, 23-25, 28-30, 32, and 34 are all the claims currently pending in this Application.

Figures

In the current Office Action, the Examiner asserts that the introduction of Figure 7 is added material which is not supported by the original disclosure. Applicants submit, as previously noted in the Amendment of February 1, 2007, that Figure 7 is fully supported in the originally-filed specification at least by original claim 13 and the fourth paragraph of page 4 (paragraph 0015 as labeled in the published Application 2004-0115391).³

Applicants respectfully request that the objection to Figure 7 as new matter be reconsidered and withdrawn.

Specification

In the current Office Action, the Examiner asserts that the amendments to the specification as made in the Amendment of February 1, 2007 are added material which is not supported by the original disclosure. As previously noted in the Remarks section of the February 1 Amendment, and as noted above, Figure 7 and the descriptions thereof are fully supported by the originally-filed specification at least by original claim 13 and the fourth paragraph of page 4 (paragraph 0015 as labeled in the published Application 2004-0115391).

³ “In another preferred embodiment, the lower fastening element has a Christmas-tree shaped profile.”

Applicants respectfully request that the objection to the specification be reconsidered and withdrawn.

Claim Objections

Claim 10 is objected to due to informalities. With this Amendment, claim 10 is amended to address these issues. Applicants submit that this amendment is not intended to narrow the scope of claim 10, but is rather for precision of language and to explicitly recite within the claim what was believed to have already been implicitly defined therein. Accordingly, this amendment does not foreclose application of reasonable equivalents.

Applicants respectfully request that the objection to claim 10 be reconsidered and withdrawn.

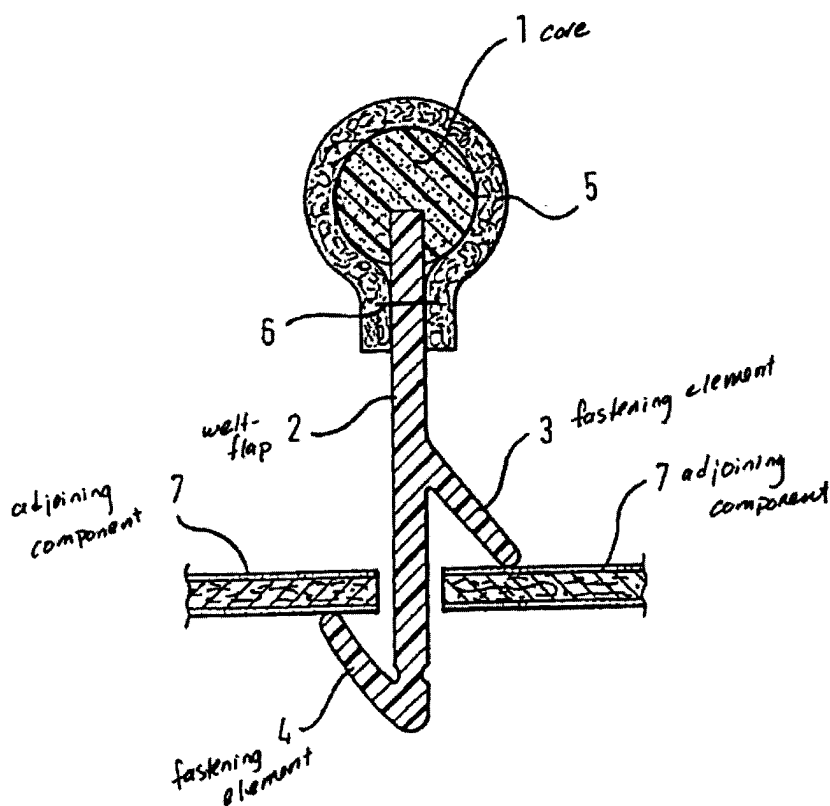
Claim Rejections — §112

Claims 1, 4-10, 16-20, 24, 25, 28-30, 32, and 34 are rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. The Examiner asserts that there is no support for the following phrases:

“the first fastening element projects diagonally away from a first side of the welt flap and is configured to apply a force to a first adjoining component in a direction toward the welt core, and the second fastening element projects diagonally away from a second side of the welt flap, opposite the first side, and is configured to apply a force to a second adjoining component in a direction away from the welt core” (*see* claim 1), and

“wherein the welt flap has a rod-shaped cross-section” (*see* claim 20).

Regarding the above-noted limitation of claim 1, Applicants submit that this is fully supported in the originally-filed specification by Figure 1 (as reproduced below with labels indicating elements 1, 2, 3, 4, and 7) and by the description thereof in the specification including the second full paragraph of page 8 through the second full paragraph of page 9 (paragraphs 0034 through 0038 as labeled in the published Application 2004-0115391).



Regarding the above-noted limitation of claim 20, Applicants submit that this is supported in the originally-filed specification at least by the third full paragraph of page 5 (paragraph 0019 as labeled in the published Application 2004-0115391).⁴

In view of the above, Applicants respectfully request that the rejections of claims 1, 4-10, 16-20, 24, 25, 28-30, 32, and 34 under 35 U.S.C. § 112, first paragraph be reconsidered and withdrawn.

Claim Rejections — 103(a)

Claims 13 and 14 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Spraragen '158 (U.S. Patent 2,347,158) in view of Spraragen '444 (U.S. Patent 2,767,444). Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Spraragen '158 in view of Crowe (1,907,044). As noted above, with this Amendment, claims 13, 14, and 35 are cancelled.

Allowed Claims

The Examiner indicates that claims 15, 21, and 23 are allowed. Applicants submit that in view of at least the above, Claims 1, 4-10, 16-20, 24, 25, 28-30, 32, and 34 are also allowable. Allowance of these claims is respectfully requested.

Entry of Amendments

The claim amendments presented herein respond to a claim objection (claim 10) and cancel claims (13, 14, and 35) to place the claims in condition for allowance. These amendments

⁴ “Also preferred is a welt comprising a welt core with a circular cross section and a welt flap with a rod-shaped cross section.”

AMENDMENT UNDER 37 C.F.R. § 1.116
Application No.: 10/673,573

Attorney Docket No.: Q77779

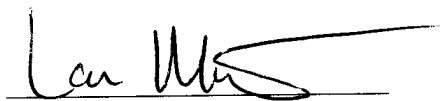
do not raise new issues requiring further consideration or search. Therefore, Applicants respectfully request that these Amendments be properly entered after final.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Laura Moskowitz
Registration No. 55,470

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 4, 2007